



**DEPARTMENT OF HEALTH  
PUBLIC HEALTH NURSING BRANCH  
EARLY INTERVENTION SECTION**

**NOTICE OF CONFIDENTIALITY AND ACCESS TO RECORDS**

Notice is hereby given that pursuant to the "Family Educational Rights and Privacy Act" (FERPA), the following information is provided about the rights of parents/legal guardians with respect to a child's early intervention records.

These rights are:

- You, the parent/legal guardian, have the right to inspect, review and obtain copies of all early intervention records related to your child within 45 days of the day the agency receives a request for access. Parents/legal guardians should submit a request to their child's care coordinator if they want to inspect and review the original records or obtain copies of their child's early intervention records.
- You have a right to ask that any of your child's early intervention records that you feel may contain inaccurate or misleading information be amended. Parents/legal guardians should submit a request to their child's care coordinator and clearly identify the parts they want changed and specify why it is misleading or inaccurate. If there is a decision not to amend the records as requested, you will be notified of the decision and advised of your right to a hearing regarding the request for amendment.
- Your child's early intervention records are confidential and cannot be disclosed to anyone unless you give your consent. An exception under FERPA which allows disclosure without consent is disclosure to agency officials with legitimate early intervention interests. An agency official is a person employed by the program as an administrator, supervisor, social worker, therapist, a provider listed on the child's Individualized Family Support Plan (IFSP), or a support staff member. Other agency officials include Department of Health administration, State officials assigned to compliance, other participating early intervention providers listed on the child's IFSP persons or companies who have been contracted to perform a special task (such as an attorney, auditor, or medical consultant), or a Hawaii Keiki Information Service System (H-KISS) worker. An agency official has a legitimate early intervention interest if the official needs to review an early intervention record in order to fulfill his or her professional responsibility.
- **Early Intervention Records:** The term means those records that include but are not limited to:
  - (a) Evaluations and assessments
  - (b) Eligibility determinations
  - (c) The IFSP
  - (d) Billing records
  - (e) Progress notes, Consents and Prior Written Notices
- You have a right to file a complaint with the U.S. Department of Education concerning the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

Acknowledgement of Receipt:

Parent/Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_